

## PROCEEDINGS OF THE WAUKESHA COUNTY BOARD OF SUPERVISORS

Tuesday, October 14, 2003 – 7:00 p.m.

Chairman Dwyer called the meeting to order.

Roll Call: Nilson, Singert Griffin, Gundrum, Jaske, Kolb, Paulson, Seitz, Marchese, Thelen, Thomas, Swan, Kipp, Stroud, J. Morris, Mitchell, Herro, Haukohl, Carlson, Bruce, Cummings, Klein, Broesch, LaPorte, Harenda, Wolff, Stamsta, Manke, B. Morris, Pavelko, Silva, Behrend and Dwyer

Supervisors Pronold and Jeskewitz notified the Chairman they would be absent.

Ronald Edlund spoke to the Board on taxes.

The County Clerk announced Ordinance 158-O-063 (Passport Pilot Program in County Clerk's Office) was returned by the County Executive unsigned and is effective commencing this Board meeting, all the remaining ordinances were signed. All Supervisors received notice of three claims filed.

Supervisor Carlson moved to approve the minutes from the September 23, 2003 Board meeting. Supervisor LaPorte seconded the motion and it carried by a voice vote unanimously.

**Ordinance 158-O-064 (158-68)** was presented for action. (Amend the Town of Genesee District Zoning Map of the Waukesha County Zoning Code for the Town of Genesee by Rezoning Certain Lands Located in Part of the SE ¼ of Section 27, T6N, R18E, Town of Genesee, from the A-2 Rural Home District to the R-1 Residential District (CZ-1493)

Supervisor Kolb moved to adopt Ordinance 158-O-064 (158-68). Supervisor Paulson seconded the motion. The Board was polled and thirty-three (33) votes were cast all "nays". The ordinance was defeated.

**Ordinance 158-O-067 (158-69)** was presented for action. (Amend the District Zoning Map of the Town of Delafield Zoning Ordinance By Conditionally Rezoning Certain Lands Located in Part of the SW ¼ and SE ¼ of the NW ¼ of Section 36, T7N, R18E, Town of Delafield, from the A-1 Agricultural District to the A-2 Rural Home District (ZT-1495)

Supervisor Kolb moved to adopt Ordinance 158-O-067 (158-69). Supervisor Stroud seconded the motion.

Supervisor Klein moved to amend the First Ordained paragraph, subparagraph 1. as follows:  
"delete eight (8) and insert four (4)

Supervisor Cummings seconded the motion.

Supervisor Haukohl moved to refer Ordinance 158-O-067 (158-69) to Parks and Land Use for further clarification on the conditions. Supervisor Herro seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Behrend, Pavelko, Kipp, Thomas, Seitz, Kolb and Nilson, seven (7) in all voted "no". The rest, twenty-six (26) voted "aye". The motion carried.

**Ordinance 158-O-068 (158-70)** was presented for action. (Amend the Waukesha County Shoreland and Floodland Protection Ordinance of the Town of Oconomowoc, by Rezoning Certain Lands Located in Part of the SE ¼ of Section 24, T8N, R17E, Town of Oconomowoc, from the A-T Agricultural Land Preservation Transition District to the R-3 Residential District (SZ-1492)

Supervisor Kolb moved to adopt Ordinance 158-O-068 (158-70). Supervisor Jaske seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisor Nilson voted “no”. The rest, thirty-two (32) voted “aye”. The ordinance was adopted.

**Ordinance 158-O-069 (158-71)** was presented for action. (Amend the District Zoning Map of the Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code, for the Town of Oconomowoc by Rezoning Certain Lands Located in Sections 8, 9, 16, 21, 22, 23, 26, 35 and 36 to Various Zoning Districts of the Town of Oconomowoc, Waukesha County, Wisconsin (SCZ-1491)

Supervisor Kolb moved to adopt Ordinance 158-O-069 (158-71). Supervisor Stroud seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 158-O-070 (158-72)** was presented for action. (Approval of 3-Way Mining Agreement Between the Waukesha County Department of Parks and Land Use, Johnson Sand & Gravel, Inc. and Wolf Construction Co., Inc.)

Supervisor Kolb moved to adopt Ordinance 158-O-070 (158-72). Supervisor Jaske seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisor Singert voted “no”. The rest, thirty-two (32) voted “aye”. The ordinance was adopted.

**Ordinance 158-O-071 (158-73)** was presented for action. (Authorize Parks and Land Use Department to Negotiate and Execute Agreements With Non-participating Municipalities and School Districts for Recycling Services)

Supervisor Kolb moved to adopt Ordinance 158-O-071 (158-73). Supervisor B. Morris seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 158-O-073 (158-74)** was presented for action. (Amend the District Zoning Map of the Town of Brookfield Zoning Ordinance by Rezoning Certain Lands Located in Part of the NE ¼ of Section 29, T7N, R20E, Town of Brookfield, from the B-3 Office and Professional Business District to the RM-2 Multi-Family Residential and Conservancy Districts (ZT-1443)

Supervisor Kolb moved to adopt Ordinance 158-O-073 (158-74). Supervisor Thomas seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 158-O-074 (158-75)** was presented for action. (Amend the District Zoning Map of the Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code, for the Town of Oconomowoc by Conditionally Rezoning Certain Lands Located in part of the SW ¼ of Section 23, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin, from the A-P Agricultural Land Preservation District to the R-3 Residential and A-1 Agricultural Districts (SCZ-1490)

Supervisor Kolb moved to adopt Ordinance 158-O-074 (158-75). Supervisor J. Morris seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisor Nilson voted “no”. The rest, thirty-two (32) voted “aye”. The ordinance was adopted.

**Ordinance 158-O-075 (158-76)** was presented for action. (Amend the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map in the Village of Mukwonago by Conditionally Rezoning Certain Lands Located in the SE ¼ and SW ¼ of Section 19 and the NW ¼ of Section 30, T5N, R19E, Village of Mukwonago, from the RRD-5 Rural Residential Density District 5 and the A-E Exclusive Agricultural Conservancy Districts to the R-3 Residential and C-1 Conservancy Districts (SVZ-1489)

Supervisor Kolb moved to adopt Ordinance 158-O-075 (158-76). Supervisor Mitchell seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisor Nilson voted “no”. The rest, thirty-two (32) voted “aye”. The ordinance was adopted.

**Ordinance 158-O-076 (158-77)** was presented for action. (Amend the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map of the City of Pewaukee by Rezoning Certain Lands Located in part of the NE ¼ and SE ¼ of Section 1, T7N, R19E, City of Pewaukee, Waukesha County, Wisconsin, From the A-P Agricultural Land Preservation District to the R-3 Residential District (SVZ-1485)

Supervisor Kolb moved to adopt Ordinance 158-O-076 (158-77). Supervisor Swan seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Herro, Stamsta, Marchese, Haukohl, Harenda, Cummings, Paulson, Thelen, Carlson, Dwyer, Wolff, Manke, B. Morris, Kipp, Silva, Klein, Jaske, Nilson and Gundrum, nineteen (19) in all voted “no”. The rest, fourteen (14) voted “aye”. The ordinance was defeated.

**Ordinance 158-O-077 (158-78)** was presented for action. (Authorize Department of Parks and Land Use to Apply for and Accept DNR Recycling Grants to Responsible Units and Recycling Efficiency Incentive Grants)

Supervisor Kolb moved to adopt Ordinance 158-O-077 (158-78). Supervisor Pavelko seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

**Resolution 158-R-009 (158-8)** was presented for action. (Amend the Regional Water Quality Management Plan for the City of Waukesha, Waukesha County, Wisconsin)

Supervisor Kolb moved to adopt Resolution 158-R-009 (158-8). Supervisor LaPorte seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Klein and Haukohl, two (2) in all voted “no”. The rest, thirty-one (31) voted “aye”. The resolution was adopted.

**Ordinance 158-O-066 (158-79)** was presented for action. (Transfer Funds for County Trunk Highway “P”, CTH “K” - Intersection Improvements)

Supervisor Manke moved to adopt Ordinance 158-O-066 (158-79). Supervisor Thelen seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Mitchell and Thomas, two (2) in all voted “no”. The rest, thirty-one (31) voted “aye”. The ordinance was adopted.

**Ordinance 158-O-078 (158-80)** was presented for action. (Establishment of Speed Zone - C.T.H. “C”)

Supervisor Manke moved to adopt Ordinance 158-O-078 (158-80). Supervisor Behrend seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Thelen, Seitz and Nilson, three (3) in all voted “no”. The rest, thirty (30) voted “aye”. The ordinance was adopted.

**Ordinance 158-O-079 (158-81)** was presented for action. (Transfer Jurisdiction of Highways with Town of Delafield)

Supervisor Manke moved to adopt Ordinance 158-O-079 (158-81). Supervisor Singert seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 158-O-065 (158-82)** was presented for action. (Accept FY-2003 State Homeland Security Grant Program Funds and Modify the Waukesha County Emergency Management’s 2003 Budget to Appropriate Grant Expenditures and Revenues)

Supervisor Stamsta moved to adopt Ordinance 158-O-065 (158-82). Supervisor Cummings seconded the motion. The Board was polled and thirty-three (33) votes were cast, all “aye”. The ordinance was adopted.

**Ordinance 158-O-081 (158-83)** was presented for action. (Change in Budget Intent for Publication of Public Official Directories)

Supervisor Paulson moved to adopt Ordinance 158-O-081 (158-83). Supervisor Haukohl seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisor Stamsta voted “no”. The rest, thirty-two (32) voted “aye”. The ordinance was adopted.

**Resolution 158-R-007 (158-9)** was presented for action. (Adopt Five-Year Capital Projects Plan)

Supervisor Manke moved to adopt Resolution 158-R-007 (158-9). Supervisor Stamsta seconded the motion.

Chairman Dwyer requested items to be pulled for discussion.

Supervisor Haukohl requested #22 and #35  
Supervisor Thomas requested #13, #24 and #39  
Supervisor J. Morris requested #7  
Supervisor Singert requested #27 and #40  
Supervisor Pavelko requested #51  
Supervisor Gundrum requested #2 and #3  
Supervisor Cummings requested #12

The Board was polled on the resolution minus the items pulled for discussion and thirty-three (33) votes were cast. Supervisor Thomas voted “no”. The rest, thirty-two (32) voted “aye”. The motion carried.

#2 – Northview Renovation/Demolition No. 200107

The Board was polled on Project #2 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisors Pavelko, J. Morris, Thomas and Singert, four (4) in all voted “no”. The rest, twenty-nine (29) voted “aye”. The project was adopted.

#3- Northview Laundry/Boiler Demolition No. 200426

The Board was polled on Project #3 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisors Pavelko, J. Morris, Thomas and Singert, four (4) in all voted “no”. The rest, twenty-nine (29) voted “aye”. The project was adopted.

#7- UWW Lower Northview Hall Refurbishing No. 9920

Supervisor J. Morris moved to delete Project #7 from the plan. Supervisor Thomas seconded the motion.

Supervisor Manke moved to call for the previous question. Supervisors Paulson, Haukohl, Carlson, Jaske and Stroud seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Harenda, J. Morris, Mitchell, Kolb, Cummings, Thomas, Pavelko, Seitz, Gundrum and Singert, ten (10) in all voted “no”. The rest, twenty-three (23) voted “aye”. The motion carried.

The Board was polled on Project #7 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisors Pavelko, Harenda, J. Morris, Thomas, Seitz, Kolb, Gundrum and Singert, eight (8) in all voted “no”. The rest, twenty-five (25) voted “aye”. The project was adopted.

#12 – Justice Facility Project Phase II No. 200326

Supervisor Cummings moved to delay the Project #1 one (1) year to year 2007. Supervisor Seitz seconded the motion. The Board was polled on the motion and thirty-three (33) votes were cast. Supervisors Herro, Stamsta, Marchese, Haukohl, J. Morris, Swan, Behrend, Mitchell, Kolb, Paulson, Stroud, Pavelko, Seitz, Thelen, Carlson, Broesch, Dwyer, Wolff, Griffin, LaPorte, Manke, B. Morris, Kipp, Bruce, Klein, Jaske, Nilson, Gundrum and Singert, twenty-nine (29) voted “no”. The rest, four (4) voted “aye”. The amendment was defeated.

The Board was polled on Project #12 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisors Silva, Harenda, Cummings and Thomas, four (4) in all voted “no”. The rest, twenty-nine (29) voted “aye”. The project was adopted.

#13 – WC Communications Center No. 200210

Supervisor Manke moved to call for the question. Supervisor Harenda seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Cummings, Thomas, Pavelko, Seitz, Nilson and Singert, six (6) in all voted “no”. The rest, twenty-seven (27) voted “aye”. The motion carried.

The Board was polled on Project #13 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisors Thomas, Stroud, Pavelko, Seitz and Gundrum, five (5) in all voted “no”. The rest, twenty-eight (28) voted “aye”. The project was adopted.

Chairman Dwyer declared a recess.

#22 – CTH Y, North Avenue Intersection No. 9709

Supervisor Haukohl moved to amend the plan as follows:

Change the Budget Action to read “Combined with No. 200427 Signal/Safety Improvements”

Supervisor Cummings seconded the motion.

Supervisor Thomas moved to call for the question. Supervisor Stroud seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Harenda, Swan, Mitchell, Cummings, Wolff, Griffin, Silva, Klein, Nilson and Singert, ten (10) in all voted “no”. The rest, twenty-three (23) voted “aye”. The motion carried.

The Board was polled on the amendment and thirty-three (33) votes were cast. Supervisors Herro, Swan, Mitchell, Kolb, Thomas, Pavelko, Thelen, LaPorte, Silva and Singert, ten (10) in all voted “no”. The rest, twenty-three (23) voted “aye”. The amendment was adopted.

The Board was polled on Project #22 as amended and thirty-three (33) votes were cast. Supervisors Herro, Stamsta, Swan, Mitchell, Kolb, Thomas, Pavelko, Thelen, Broesch, Dwyer, LaPorte, Manke, Kipp, Bruce, Klein, Gundrum and Singert, seventeen (17) in all voted “no”. The rest, sixteen (16) voted “aye”. The motion was defeated.

#### #24 – CTH Y, I-43 – CTH I No. 9903

Supervisor Thomas moved to delay the project by moving each year back one (1) year. Supervisor Singert seconded the motion.

Supervisor Paulson moved to call for the question. Supervisor Broesch seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Swan, Cummings, Thomas, Pavelko, Nilson, Gundrum and Singert, seven (7) in all voted “no”. The rest, twenty-six (26) voted “aye”. The motion carried.

The Board polled on the amendment and thirty-three (33) votes were cast. Supervisors Herro, Stamsta, Marchese, Haukohl, Behrend, Kolb, Cummings, Paulson, Seitz, Thelen, Carlson, Broesch, Dwyer, Wolff, Griffin, LaPorte, Manke, B. Morris, Kipp, Bruce, Silva, Klein, Jaske and Nilson, twenty-four (24) in all voted “no”. The rest, nine (9) voted “aye”. The amendment was defeated.

The Board was polled on Project #24 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisors Pavelko, Harenda, Swan, Thomas and Singert, five (5) in all voted “no”. The rest, twenty-eight (28) voted “aye”. The project was adopted.

#### #27 – CTH O, CTH I to STH 59 No. 200104

Supervisor Singert moved to delay Project #27 one (1) year. Supervisor Thomas seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Stamsta, Marchese, Haukohl, Behrend, Mitchell, Kolb, Paulson, Thelen, Carlson, Broesch, Dwyer, Wolff, Griffin, LaPorte, Manke, B. Morris, Kipp, Bruce, Klein and Nilson, twenty (20) in all voted “no”. The rest, thirteen (13) voted “aye”. The amendment was defeated.

The Board was polled on Project #27 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisors Harenda, Pavelko, Silva, Cummings, Swan, Thomas, Seitz and Singert, eight (8) in all voted “no”. The rest, twenty-five (25) voted “aye”. The project was adopted.

#### #35 – Signal/Safety Improvements No. 200427

Supervisor Haukohl moved to amend to add in the Project Scope “CTH Y, North Ave Intersection” be considered in #35 Signal/Safety Improvements.

Supervisor Wolff seconded the motion.

Supervisor Broesch moved to call for the previous question. Supervisors Carlson, Seitz, Paulson, Herro and LaPorte seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Haukohl, J. Morris, Cummings, Wolff and Singert, five (5) in all voted “no”. The rest, twenty-eight (28) voted “aye”. The motion carried.

The Board was polled on Project #35 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisors Harenda and Cummings, two (2) in all voted “no”. The rest, thirty-one (31) voted “aye”. The project was adopted.

The Board was polled on Project #22 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisors Haukohl, Harenda, Cummings and Wolff, four (4) in all voted “no”. The rest, twenty-nine (29) voted “aye”. The project was adopted.

#39 – Moor Downs Golf Course Clubhouse Restoration No. 200401

The Board was polled on Project #39 as recommended by the Executive Committee and thirty-three (33) votes were cast, all “aye”. The project was adopted.

#40 – Pavement Management Plan Implementation No. 9703

Supervisor Singert moved to delete funds for 2004. Supervisor Thomas seconded the motion.

Supervisor Paulson moved to call for the question. Supervisor Stroud seconded the motion. The Board was polled and thirty-three (33) votes were cast. Supervisors Haukohl, J. Morris, Cummings, Thomas, Pavelko, Silva, Nilson, Gundrum and Singert, nine (9) in all voted “no”. The rest, twenty-four (24) voted “aye”. The motion carried.

The Board was polled on the amendment and thirty-three (33) votes were cast. Supervisors Herro, Stamsta, Marchese, Haukohl, Behrend, Mitchell, Kolb, Paulson, Stroud, Seitz, Thelen, Carlson, Broesch, Dwyer, Wolff, Griffin, LaPorte, Manke, B. Morris, Kipp, Bruce, Klein and Jaske, twenty-three (23) in all voted “no”. The rest, ten (10) voted “aye”. The amendment was defeated.

The Board was polled on Project #40 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisors Harenda, J. Morris, Swan, Cummings, Thomas, Pavelko, Seitz, Gundrum and Singert, nine (9) in all voted “no”. The rest, twenty-four (24) voted “aye”. The project was adopted.

#51- Oracle Infrastructure Upgrade No. 200412

The Board was polled on Project #51 as recommended by the Executive Committee and thirty-three (33) votes were cast. Supervisor Singert voted “no”. The rest, thirty-two (32) voted “aye”. The project was adopted.

Supervisor Stamsta moved to adjourn to Tuesday, October 28, 2003 at 9:00 a.m. or at the call of the County Board Chair. Supervisor LaPorte seconded the motion and it carried by a voice vote unanimously.

The Board adjourned at 10:35 p.m.

Respectfully submitted,

Kathy Nickolaus  
County Clerk